



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

CJ '21-5282
FILED *Order*
OKLAHOMA COUNTY
109

DEC - 9 2021

RICK WARREN
COURT CLERK

TAYLOR G. MAPLES,)
Plaintiff,)
v.)
MARTIN B. SANCHEZ,)
& FLASH FRIDAY DEPENDABLE)
CARRIERS.)
Defendants.)

Case No: CJ - 2021-5282

PETITION

COMES NOW Plaintiff, Taylor G. Maples, for her cause of action against the Defendants, Martin B. Sanchez (hereinafter Defendant Sanchez), and Flash Friday Dependable Carriers (hereinafter Defendant Flash Friday), alleges and states:

FIRST CAUSE OF ACTION:
NEGLIGENCE/GROSS NEGLIGENCE – DEFENDANT MARTIN B. SANCHEZ

1. On or about October 7, 2020, at or near I-35 Southbound and Memorial Road in Oklahoma City, Oklahoma County, Oklahoma, Defendant Martin B. Sanchez negligently drove a commercial motor vehicle causing a collision with the motor vehicle driven by Plaintiff Taylor G. Maples.
2. That at all relevant times mentioned herein, Plaintiff Taylor G. Maples was operating her vehicle properly and lawfully.
3. That at all material times mentioned herein, Defendant Sanchez, was a professional tractor-trailer driver, held a Class A driver's license and was operating a commercial motor vehicle.
4. That at all material times mentioned herein, Defendant Sanchez, was acting in his capacity



as an employee and/or agent of Defendant Flash Friday Dependable Carriers.

5. That at all material times mentioned herein, Defendant Sanchez, was operating a commercial vehicle owned or maintained by Flash Friday Dependable Carriers.
6. Upon information and belief that the Defendant Sanchez operating a vehicle recklessly and negligently in a wanton or careless manner with disregard to the rights and safety of others, warranting the imposition of punitive damages.

That as a direct and proximate result of the negligence of Defendant Martin B. Sanchez, Plaintiff has sustained bodily injuries; has incurred medical expenses; has incurred property damages, and has suffered pain and suffering all in an amount in excess of \$75,000.00, plus interest, costs, attorney fees, and punitive damages in excess of \$75,000 and all such other and further relief as to which Plaintiff may be entitled.

SECOND CAUSE OF ACTION:
NEGLIGENCE PER SE – DEFENDANT MARTIN B. SANCHEZ

7. For her second claim, Plaintiff re-alleges and incorporates by reference the foregoing paragraphs and states:
8. Defendant Martin B. Sanchez owed a duty to Plaintiff established by the Oklahoma Statutes 47 O.S. §11-101 et seq. Rules of the Road.
9. Duties owed by Defendant Sanchez include but not limited to devote his full time and attention, free from distraction to his driving, to drive at an adequate speed for the conditions, to follow traffic at a safe distance, and to refrain from driving in a careless or wanton manner.
10. Defendant Sanchez breached these duties owed to Plaintiff by operating a vehicle recklessly and negligently in a wanton or careless manner.
11. Defendant Sanchez chose to violate state, local and federal statutes and regulations and is

liable for negligence per se for violation of the same.

12. Defendant Sanchez's violations of the Oklahoma State Statutes regarding Rules of the Road proximately caused damages to Plaintiff in excess of \$75,000.00.

That as a direct and proximate result of the negligence of Defendant Martin B. Sanchez, the Plaintiff has sustained bodily injuries; has incurred medical expenses; has incurred property damages, and has suffered pain and suffering all in an amount in excess of \$75,000.00, plus interest, costs, attorney fees, and punitive damages in excess of \$75,000 and all such other and further relief as to which Plaintiff may be entitled.

THIRD CAUSE OF ACTION: VICARIOUSLY LIABILITY –
DEFENDANT FLASH FRIDAY DEPENDABLE CARRIERS

13. For her third claim, Plaintiff re-alleges and incorporates by reference the foregoing paragraphs and states:
14. At all times described herein, Defendant Martin B. Sanchez, was an employee and/or agent of Defendant Flash Friday Dependable Carriers.
15. At all times described herein, Defendant Sanchez, was acting within the scope of his employment and/or agency for Defendant Flash Friday.
16. Upon information and belief, the commercial motor vehicle was being operated under the US DOT operating authority of Defendant Flash Friday Dependable Carriers, DOT #2282223.
17. Defendant Flash Friday is vicariously liable for the negligence of its employee/agent Defendant Sanchez under respondeat superior.
18. Defendant Flash Friday is liable for the punitive damages of its employee Defendant Sanchez under respondeat superior.

That as a direct and proximate result of the negligence of the Defendant, Flash Friday

Dependable Carriers, the Plaintiff has sustained bodily injuries; has incurred medical expenses; has suffered pain and suffering, and has incurred property damage all in an amount in excess of \$75,000.00.

FOURTH CAUSE OF ACTION: NEGLIGENT ENTRUSTMENT-
DEFENDANT FLASH FRIDAY DEPENDABLE CARRIERS

19. For her fourth claim, Plaintiff re-alleges and incorporates by reference the foregoing paragraphs and states:
20. That at all material times mentioned herein, Defendant Martin B. Sanchez was operating a commercial motor vehicle owned, controlled, and/or maintained by Defendant Flash Friday Dependable Carriers.
21. That at all material times mentioned herein, Defendant Sanchez was operating the commercial motor vehicle at issue with Defendant Flash Friday's permission.
22. Defendant Flash Friday negligently entrusted Defendant Sanchez with its commercial motor vehicle, and knew or should have known that Defendant Sanchez was incompetent to drive the commercial motor vehicle.
23. Defendant Flash Friday negligently hired, trained, supervised, and retained Defendant Sanchez.

That as a direct and proximate result of the negligence of the Defendant, Flash Friday Dependable Carriers, the Plaintiff has sustained bodily injuries; has incurred medical expenses; has suffered pain and suffering, and has incurred property damage all in an amount in excess of \$75,000.00.

WHEREFORE, Plaintiff, Taylor G. Maples, prays for judgment against Defendants, Martin B. Sanchez, and Flash Friday Dependable Carriers for personal injuries in an amount in excess of \$75,000 plus interest, costs, attorney fees, punitive damages in excess of \$75,000 and all such other and further relief as to which Plaintiff may be entitled.

Respectfully submitted,

CAIN LAW OFFICE
Attorney for Plaintiff



MONTY L. CAIN, OBA #15891
ANTHONY M. ALFONSO, OBA# 32722
RILEE D. HARRISON, OBA #33742
10415 Greenbriar Place
P.O. Box 892098
Oklahoma City, OK 73189
(405) 759-7400 – phone
(405) 759-7424 – facsimile
clo@cainlaw-okc.com

ATTORNEY'S LIEN CLAIMED